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COVER NOTE

From: European External Action Service
To: Political and Security Committee
Delegations

Subject: Revised Crisis Management Concept for a civilian CSDP mission in support
of Security Sector Reform in Ukraine

Delegations will find attached EEAS document 01135/1/14 REV 1.

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EUROPEAN EXTERNAL ACTION SERVICE



**Crisis Management and Planning
Directorate – CMPD**

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Delegations will find attached the Revised Crisis Management Concept for a civilian CSDP mission in support of Security Sector Reform in Ukraine.

Revised Crisis Management Concept for a civilian CSDP mission in support of Security Sector Reform in Ukraine

References

1. FAC Conclusions on 14 April 2014 tasking the EEAS to draft a PFCA.
2. PFCA st9619/14, 7 May 2014.
3. FAC Conclusions on 12 May 2014 tasking the EEAS to draft a CMC.
4. Ukraine FM Deshchytsia letter to HR Ashton requesting the deployment of a CSDP mission dated 8 May 2014.
5. Crisis Management Concept for a civilian CSDP mission in support of Security Sector Reform in Ukraine, st10454/14, dated 3 June 2014.
6. CIVCOM advice on the Crisis Management Concept for a civilian CSDP mission in support of Security Sector Reform in Ukraine, st11035/14, dated 18 June 2014.

Annexes

- A. Engagement of the international community.
- B. The situation in the Ukrainian security services and other issues related to the delivery of rule of law.
- C. Ukraine FM Deshchytsia letter to HR Ashton requesting the deployment of a CSDP mission dated 8 May 2014.
- D. Mapping exercise on civilian security sector reform between EU Member States and Ukraine.

I. **Background**

1. On 14 April 2014 the Foreign Affairs Council expressed its readiness to assist Ukraine in the field of civilian security sector reform, support of police and rule of law. In this regard the Council tasked the EEAS to deploy an expert mission to prepare for appropriate assistance complementary with other on-going efforts and elaborate a Political Framework for Crisis Approach (PFCA), examining all options, including through a possible CSDP mission. On 12 May 2014, the Foreign Affairs Council recalled its readiness to assist Ukraine in the field of civilian security sector reform and tasked the EEAS to prepare a Crisis Management Concept (CMC) for a possible civilian CSDP mission. The Council underlined the importance of coordination and complementarity with OSCE, other EU actions and the international community.
2. The content of the CMC at ref. 5 is based on the PFCA and related discussion in the PSC, and extensive fieldwork by the expert mission deployed on 17 April 2014 to reinforce the EU Delegation in Kyiv. It has been coordinated within the EEAS and relevant Commission services. The CMC has been revised in line with CIVCOM advice, at ref. 6.

II. **Situation**

General

Political situation

3. Following months of massive popular protest, the departure of President Yanukovich in February, the establishment of a new government in Kyiv, the Russian illegal annexation of Crimea, and continued Russia-provoked unrest in the Eastern regions Ukraine is currently facing the most difficult crisis in its recent history. Although generally portrayed as the result of conflicting regional, ethnic and linguistic identities, the crisis is in fact unfolding on a number of parallel levels, apart from the continued interference from Russia it is the product of a deeply dysfunctional and corrupt domestic government structure, including the law-enforcement agencies, the country's virtual economic bankruptcy.

4. At the core of the protests in late 2013 and early 2014 lay the request for a substantial transformation of the state institutions in line with values of the rule of law, good governance and respect for human rights. Having promised efforts on the reform agenda and European association, the new government and the recently elected President are facing a growing popular pressure to deliver on stabilisation of the economy and reforms, including security sector reform. At the same time, the illegal annexation by Russia of Crimea, calls for increased decentralisation and in particular violent separatist actions in the East add additional tension. Many in government, in civil society and in the international community clearly opine that substantial reforms need to be demonstrated quickly to renew trust in the law enforcement agencies.
5. With little resistance, pro-Russian militant groups have seized control over local police, intelligence services and municipal buildings in the Eastern regions of Luhansk and Donetsk, have declared the birth of self-proclaimed independent republics and have engaged in increasingly violent actions against Ukrainian security forces. Attempts to restore order have had limited results, and the death toll has increased. Ukrainian law enforcement agencies have proved unable to restore law and order. In addition, parallel security structures, including self-defence groups have emerged also in support of a unified Ukraine.
6. Several surveys reveal that the large majority of Ukrainians, both in the East, including in the cities where separatist have illegally occupied public buildings, and in the West, remain in favour of a unified Ukraine. The unequivocal outcome of the 25 May Presidential elections which saw Mr Poroshenko elected in the first round and coming first in all regions of Ukraine is another important sign in this respect. Civil society representatives in the East and South fear, however, that Kyiv's incapacity in dealing with the crisis, coupled with popular discontent in a difficult socio-economic situation, fuelled by anti-Kyiv propaganda, have resulted in parts of the population calling for closer links to Russia.
7. A series of round tables on national dialogue were organised in May 2014. They were chaired by former Presidents Kravchuk and Kuchma, with the facilitating role of OSCE CiO representative Amb. Ischinger. They featured the authorities, representatives of the parliamentary parties and representatives of the regions (governors, mayors), but not the armed separatists. A continuation of such consultations could contribute to countering

centrifugal tendencies and calming the unrest in the eastern regions.

Economic situation

8. Ukraine's economic performance remains weak and recovery prospects are clouded by the ongoing unrest in the East of the country. The Ukrainian economy has been in recession since the second half of 2012, However, in the medium and long term, the economy should benefit from the macroeconomic and structural reforms being agreed with the international financial institutions and the EU and which have started to be implemented.
9. On 30 April, the IMF approved a 17bn USD 2-year Stand-by Arrangement (SBA) with Ukraine that should underpin an ambitious economic adjustment programme initiated by the authorities. The IMF programme will unlock several more assistance packages. These include loans of a total amount of 1.6bn EUR under the EU Macro-Financial Assistance (see below).

Humanitarian Situation

10. There are no acute unmet humanitarian or civil protection needs requiring immediate response, there are population movements mainly from Crimea and from the East. However, the capacity of local actors to cope with the consequences of a civil unrest or large displacement of people is low. The State Emergency Services has requested the EU Civil Protection Mechanism to deploy an advisory mission to identify possibilities of strengthening Ukrainian capacities for prevention and preparedness for disasters.

Human Rights and Rule of Law Situation

11. The new Ukrainian government has achieved much in spite of the short time in office in terms of showing a more open attitude towards society. However it is still early to appreciate a substantial improvement in the respect for human rights as the institutions remain largely unchanged. The list of priority reform steps to avoid recurrence of human rights abuses as announced by the Government are in accordance with the recommendations which the EU, as well as the Council of Europe and other international bodies have been making consistently during the past years: reform of the Judiciary, reform of the General Prosecutor's Office, establishment of impartial investigation mechanisms into cases of ill-treatment and torture,

establishment of effective mechanisms to fight corruption, ensuring a stable and coherent election legislation framework and its implementation, and last but not least establishing a legal framework to guarantee the exercise of freedom of peaceful assembly. This will also imply to Constitutional Reform. The Investigation Advisory Panel, proposed and facilitated by the Council of Europe, was inaugurated on the 9 April 2014, to assist the Ukrainian authorities in conducting investigations to serious human rights abuses since November 2013.

12. The institutional attention to minority issues is currently insufficient and has declined or been downgraded in recent years. Ukraine has not been able to agree on adoption of a law establishing the Concept of State Policy on National Minorities. Ukraine adopted a Roma Strategy and a Roma Action Plan, even though both documents remain largely of declarative nature and do not address key Council of Europe recommendations.
13. The potentially divisive issue of language policy was addressed in a controversial way when a law on languages was passed in 2012 in clear violation of parliamentary rules of procedure. On 23 March 2014, the Parliament cancelled the language law, meeting one of the demands of the pro-Ukrainian language constituency. The OSCE High Commissioner on National Minorities who had a number of critical remarks relating to the law issued a statement against its hasty cancellation and acting President Turchynov vetoed the cancellation. A Special Ad-Hoc Parliamentary Committee was then established to draft amendments to the language law.

Security Situation

14. The security situation is currently dominated by the activities of armed separatists in eastern and southern areas of Ukraine. Public Administration buildings, police stations and the offices of the State Security Service have been occupied by well organised, equipped and armed groups supported by civilians armed with a wide range of weapons who have organised themselves into loose groups supporting federalisation of the state. These groups have engaged in criminal activities including the kidnapping of OSCE observers and the use of violence against Ukrainian law enforcers and border guards, resulting in dozens of deaths. Although these groups constitute a very small proportion of the population, their continued presence further worsens the situation by intimidating the pro-Ukrainian population.
15. The poor reliability of the law enforcement agencies has been a major problem for the

Government. The lack of effective command and control, and lack of loyalty to the Government, has resulted in an inappropriate response to the present crisis, significant instability and has undermined the rule of law. On 29 April 2014, acting President Turchynov announced a complete overhaul of the security services in Donetsk and Luhansk Oblasts. According to him, they had failed to cope with the situation as a result of unprofessional approach or overt treason. Blatant human rights violations in combination with a long track record of inefficiency and corruption have also led to the rise of non-state security structures, thus undermining the State's monopoly on the legitimate use of force. The new authorities try to address this particular challenge via a two-track approach: disarmament of illegal armed formations and recruitment of their members into formal security structures.

16. More recently actions by the National Guard have been more successful and the Government have managed to isolate "hotspots" from the broader regions of Donetsk and Luhansk ahead of Presidential elections.
17. The Ukrainian authorities are now commencing work on a national security plan which is to incorporate a comprehensive security sector review and a reform framework with the aim of establishing modern, effective and accountable security structures under democratic control. The Government has invited the EU to support these efforts, including through the deployment of a CSDP mission.

Existing EU engagement

Political action

18. The 1998 Partnership and Cooperation Agreement provides the legal basis for EU-Ukraine relations. Within its framework the sides continue a regular dialogue. Prompted by the current situation, the last few months have been characterised by increased political contacts. On 21 March 2014, European Union Heads of State and Government and Ukrainian PM Yatsenyuk signed the political provisions of the EU-Ukraine Association Agreement. The commitment to signing the remaining provisions was reaffirmed and the signing is foreseen for 27 June 2014. The EU-Ukraine Association Agenda was endorsed in 2009 and updated in 2013.
19. The implementation of a Visa Liberalisation Action Plan was agreed in 2010 and is on-going.

A new visa facilitation agreement was revised and ratified in 2013.

20. Regarding the reform of the judiciary, a high level Informal Judiciary Dialogue involving the EU and the Council of Europe was launched in February 2013 to address shortcomings in the judiciary and support the reform of the Prosecutor's Office and the police reform.
21. Since the new Government took office in February, the EU has underscored its support for Ukraine through a support package worth 11bn EUR over the coming. At the same time, the EU engaged in quadrilateral talks with Ukraine, Russia and the US that resulted in a Geneva Joint Statement. The EU provided substantial support to the OSCE Special Monitoring Mission, which has been tasked with facilitating the implementation of the joint Geneva Statement.

Financial Assistance

Macro-financial Assistance

22. Under the instrument of EU macro-financial assistance (MFA), Ukraine will receive medium and long-term loans up to 1.61bn EUR. The MFA is linked to the implementation of the Stand-By Arrangement with the IMF.

Stabilisation

23. On 29 April 2014, the Commission approved a special programme for Ukraine amounting to 365mn EUR consisting of a State Building Contract (355mn EUR) and a Civil Society Support Programme (10mn EUR) aimed at addressing short-term economic problems and preparing for in-depth reform through support to improved governance, fight against corruption, judicial reform and public administration reform whilst boosting civil society's involvement in monitoring reform implementation.

The Association Agreement

24. The expected signing of the remaining provisions of the Association Agreement/DCFTA significantly enhances the economic and trade prospects for Ukraine with eventual economic

stabilising effects.

25. There is associated risk that the shift in tariff differentials that the DCFTA will bring about will create a shift in the movement of smuggled goods across the region. In the case the ability of the law enforcement and border agencies of the country to counter and mitigate the risk will be of significance in terms of the security of the EU's external borders.

Autonomous Trade Measures

26. Pending ratification and provisional application of the DCFTA, the EU on 23 April 2014 unilaterally opened its market to Ukrainian products under the same conditions as provided for in the DCFTA. Thus, products from Ukraine can enter the EU free of customs duties.

Security Sector Reform

27. A twinning project Support to Justice Sector Reforms in Ukraine (8.6mn EUR) started in October 2013 and provides advisers to the Ministry of the Interior (police), the Prosecutor General's Office, the Ministry of Justice and courts systems. These advisers are not embedded or co-located. The aim is to produce a coherent and complete strategy for the constitutionally independent players in the justice sector. The project, which only operates in Kyiv, is implemented by an EU Member State consortium led by GIP Justice Coopération Internationale (France), includes six components: support to the development of a Justice sector wide strategy; support to police reform and upgrade of investigation powers; support to prosecution reform; support to the rights of defence and access to Justice, support to the independence of the judiciary and support to the prevention and fight against corruption. The initial phase of the twinning is focusing on needs assessment and strategy definition but its resources, given the sheer size of the police, are unable to deliver sustained strategic impact. The project outcomes may unlock more substantial assistance. In addition to the twinning programme, a complementary 1mn EUR judicial monitoring project could be implemented by the Council of Europe.
28. An ENPI regional-funded project "Eastern Partnership Police Cooperation Programme" is being implemented by EU Member States (led by Poland, 5mn EUR). The objectives include enhance the police skills on management and operations against cross border crime.

29. A new ENI regional programme “Implementation of the Programmatic Cooperation Framework with the Council of Europe in the Eastern Partnership” (EU contribution 30mn EUR) is to be decided in 2014. This programme will encompass protection of human rights; justice; rule of law (including anti-corruption and the fight against money-laundering), freedom of media and democratic governance.
30. Finally, the programming document for 2015-2017 (Single Support Framework) is to be re-defined with the Ukrainian authorities. One potential sector of concentration could be related to justice and the rule of law, including law enforcement.

Border Management

31. The EU has launched the project “Support for Border Management Sector Policy in Ukraine” (66mn EUR budget support, including 6mn EUR of complementary assistance). The objective of the programme is to support the efforts of the government to achieve an effective balance between secure borders and the facilitation of legal movements of persons and goods according to EU standards and in line with the Association Agenda. The conditionality for disbursement of tranches (4 tranches over 3 years: 2012-2014) particularly focusing on progress to be achieved on Integrated Border Management
32. Another project in this field is the European Union Border Assistance Mission to Moldova and Ukraine, launched in November 2005 and currently extended until 30 November 2015. Aims of the Mission are related to the implementation of the EU ENP Action Plans as well as relevant Council conclusions and commitments of Ukraine and the Republic of Moldova, the peaceful settlement of the Transnistria conflict, the building up of appropriate operational and institutional capacity and to international cooperation related to border security. The current phase of EUBAM focuses on improving the cooperation on border management, positively contributing to the settlement of the Transnistrian conflict and on enhancing institutional capacity.
33. EUBAM has no operational role and focuses on technical support through monitoring, advice and transfer of know-how to the partner services, mostly the Border Guard and Customs services, but also the Security Services and other bodies involved in border control and law

enforcement.

34. Additional Twinnings are under preparation notably to the benefit of the State Border Guard and the State Customs services (6mn EUR) and the National Academy of Prosecutors (2mn EUR). Further Twinnings have been prepared regarding the Development of criminal analytic system in Ukraine along EU Member States' Criminal Analysis Models and Method (1.85mn EUR), the improvement of institutional capacity of the Secretariat of the Ukrainian Parliament Commissioner for Human Rights, the improvement of institutional capacity of the Supreme Court of the Ukraine in the area of the human rights protection and a Twinning targeted at the High Specialised Court of Ukraine for Civil and Criminal Courts. All these Twinnings have been suspended.
35. A new regional project with the aim of strengthening Joint Green and Blue Border Management between the Republic of Moldova and Ukraine (3.2mn EUR) is under preparation.

Other technical assistance

36. On 3 April 2014, the Commission adopted a Decision under the Instrument contributing to Stability and Peace (IcSP) on an exceptional assistance measure of to increase public confidence in the preparation and organisation of the 25 May 2014 Presidential election as well as subsequent electoral cycle events and to support other relevant confidence-building measures. The measure includes amongst other areas, support to public outreach on constitutional and legal reforms as well to dialogue platforms and early-warning mechanisms.
37. This Decision was amended on 16 April 2014 to provide an earmarked contribution of 5mn EUR to the OSCE Special Monitoring Mission to Ukraine (SMM) to cover its operational and staff costs.

EUROPOL

38. Current cooperation between EUROPOL and Ukraine is based on the strategic cooperation agreement that entered into force on 16 November 2010. In particular, EUROPOL already cooperates and exchanges best practice and experience related to on-going payment card

frauds and other forms of cybercrime with the Cybercrime Unit of the Ministry of Internal Affairs of Ukraine.

FRONTEX

39. FRONTEX has been extensively engaged with Ukraine on Border, Migration and other issues in order to strengthen the external borders between EU Member States and third countries. FRONTEX and Ukraine have signed a Working Arrangement for their mutual cooperation and participation of the Ukrainian Border Guard Service in FRONTEX activities. That has resulted in the establishment of contact points, early warning systems, mutual liaison officers etcetera.
40. FRONTEX has conducted border management related training for the Guard Service and the Customs Service. On the border between Ukraine and Poland joint border patrolling has been conducted by the two countries, in part facilitated by and through FRONTEX. FRONTEX has also engaged Ukraine through EUBAM by supporting the establishment of Coordination Points with the aim of enhancing exchange of information between Border Guard authorities in Ukraine, the Republic of Moldova and EU Members States.

EU Member States

41. There is a clear need for a close coordination of assistance in the area of security sector reform that the EU, Member States and other partners are providing to Ukraine. A mapping exercise of the various activities between EU Member States and Ukraine in the field of security was launched by the EEAS, and a table detailing initial information received to date is in Annex D. The CSDP mission will avoid duplication and seek synergies and complementarities with existing lines of activities on SSR.

III. EU Approach

EU Political Interest

42. It is in the European interest that countries on our borders are well-governed. Violent conflict, weak states where organised crime flourishes and dysfunctional societies all pose risks to

Europe. The EU's interest in the region is to secure stability and economic prosperity in Ukraine by promoting rule of law, democracy, human rights, good governance and economic development, which are underlying conditions for lasting and sustainable political stability and economic prosperity. Normalisation of relations with Russia is also of key interest in this specific context.

EU Political Objective

43. The EU's political objective is to promote European values, rule of law and democratic principles in order for Ukraine to develop a modern political framework that is conducive to the political and economic modernisation of the country. This includes the free and fair conduct of the presidential elections in May, comprehensive and inclusive constitutional reform, justice and security sector reforms. The EU remains committed to Ukraine's political association and economic integration with the EU, including signing the remaining provisions of the Association Agreement/DCFTA as soon as possible.

EU Strategic Objective

44. The EU strategic objective is to create the conditions that would allow a stabilised security situation, re-establishment of the primacy of the rule of law and enhancement of Ukrainian authorities' capacity to ensure adequate and democratic governance of institutions in charge of internal security.

IV. Description of the EU Action

45. A radical restructuring of the security sector would restore credibility in the law-enforcement agencies, thus contributing to increased popular trust in the national authorities and to stability in the country. Security sector reform is a long-term engagement and it is significant that the EU remains strongly committed to and engaged in Ukraine, also by deploying a CSDP Mission as a short- to medium-term instrument.
46. The primary difficulty facing SSR efforts by EU and other donors is the lack of Ukrainian strategic vision, concept, strategy or action plan for the civilian security sector to provide a framework for targeted and well managed, value adding assistance. Such a framework is

critical if the potential effective impact and value for money of EU instruments is to be realised.

47. The Ukrainian authorities have in several meetings specifically requested EU CSDP assistance in informing, designing, planning and implementing such a framework. Ukraine has sent a formal request to HRVP Ashton (Annex C) for the deployment of a CSDP Mission. The Ukrainian authorities have also made it clear that such support has to be comprehensive, cohesive, co-located and regarded as a single programme. According to Ukrainian authorities, the support should focus on supporting reform processes and assisting in implementing the provisions in the AA/DCFTA through advice and capacity-building mission in the areas of police, justice and border management as requested by and elaborated with the Ukrainian authorities. They would also like the Missions activities to cover all regions of Ukraine in order to provide effective assistance at all levels and for providing the needed situational awareness about the security services. Indeed only a CSDP approach can provide the required broad, coordinated mentoring and advising support that is required in Kyiv and in the regions concurrently and in doing so enhance the efficacy of other instruments. There are presently no EU projects or programmes that deliver security sector assistance directly to areas outside the capital, nor is there any permanent EU presence, except EUBAM, outside Kyiv and presence beyond Kyiv would be a key comparative advantage compared with other SSR engagements of the international community. Equally there is no other project or program that can combine the political and technical aspects in the same way.

Mission statement

48. In support of Ukraine's commitments to SSR, the non-executive civilian CSDP Mission will mentor and advise relevant Ukrainian bodies in the elaboration of renewed security strategies and in the consequent implementation of relevant comprehensive and cohesive reform efforts, in order to:
- create a conceptual framework for planning and implementing reforms that result in sustainable security services delivering the rule of law, in a manner that contributes to enhancing their legitimacy and to increased public confidence and trust, in full respect for human rights and consistent with the constitutional reform process;

- reorganise and restructure the security services in a way which permits recovering control and accountability over them;
- This EU support will have to be fully coordinated with parallel reform of the other sectors (in particular justice, defence and border management), so as to ensure coherence of the action of the international community in support of UA authorities.

Assumptions

49. Willingness to reform continues at political level and is transformed into reform willingness inside the security services;

- The donor community, in particular the EU, will continue to support the Ukrainian authorities during the lifetime of the mission including by making targeted assistance available as feasible in line with Ukraine's Government's priorities and donor's strategies;
- Even though the situation in certain areas of the country may restrict the mission's geographical footprint, there will remain sufficient stability in most areas to allow the mission to have a strategic and positive geographical impact on resilience to crisis in the regions.
- Privileges and immunities are granted, initially through a unilateral declaration followed by the conclusion of a full Status Of Mission Agreement (SOMA).
- The EU action will not cover the reform of the defence sector, however, close coordination with this process will be important to ensure unity of efforts and coherence.

Mission Concept

50. The civilian CSDP Mission in Ukraine would be deployed with the objective of increasing Ukrainian capacity by appropriate and legitimate instruments which serve according to the principles of the rule of law while fully respecting Ukraine's international human rights commitments and should gain the trust, confidence and support of the population. To that end, the CSDP Mission would support and advise the SSR framework, focusing on achieving improvements in governance and effective management of efficient and fair law enforcement

under democratic and legitimate control.

51. For this, the Mission implementation could be organised along lines of operations encompassing:

- Strategic advice at central and regional level in planning and implementing short- and medium-term measures for reform which will achieve visible results in retaking control over the security services and demonstrate Ukraine's commitment to reducing corruption, regaining capacities in security management and in demonstrating commitment to applying the rule of law;
- Continuous cooperation and coordination with current or future EU instruments, projects and programmes, as well as with those of other international actors involved in similar activities in Ukraine, and the establishment of durable synergies and partnerships with them that facilitate a comprehensive approach.

52. To that end, the Mission will in particular:

- provide the central authorities in Kyiv with strategic advice, specialist skills, expert and regional knowledge in relation to the elaboration of security sector strategies, related reforms relevant to the rule of law and their promulgation and implementation, including the harmonisation of institutional competencies and their democratic oversight;
- assist the Ukrainian authorities in developing effective strategic communications and public and stakeholder relations, capabilities and programmes to ensure that security sector reforms and the reasoning behind them are understood by all stakeholders and implemented at all levels;
- support reform implementation, reform sustainability and the modernisation of the security services by assisting in reforming the security sector education system, transferring knowledge, developing of necessary skills sets and reviewing the curricula in close coordination and cooperation with all donors. In particular, coordination with actors involved in the other aspects of SSR (Defence) will be essential;

- contribute towards the value adding impact of projects implemented under other EU instruments and complementing them towards an overarching SSR reform process through mutual cooperation and coordination with the EU Delegation and the international donor community;
- support the development of a comprehensive anti-corruption strategy, including assisting the Ukrainian authorities in the fight against corruption and organised crime and in designing a vetting process;
- support the appropriate development of the security sector, police and rule of law reforms by ensuring awareness of and respect for human rights, including of persons belonging to national minorities and to advise the authorities on their importance and inclusion within the reform process, including support the implementation of UNSCR 1325.

Locations of the Mission

53. The territory of Ukraine will be the area of responsibility. Initially, the Mission will deploy a strategic advisory component to Kyiv. As soon as operationally feasible the Mission will build a capacity to support its strategic advisory tasks through a regional outreach (e.g. mobile teams), to inform the central reform efforts with regional considerations and ensure compatibility with constitutional reform efforts. Further options for precise modalities for a more articulated footprint in the regions will be elaborated in operational planning based on operational requirements and will be well coordinated with international partners, especially with the OSCE, taking the security situation into account. A decision on the establishment of permanent field offices, that could include but not be limited to Odesa, Kharkiv and Lviv, will be based on the first SR.

Mission sequencing

54. Due to the large number of factors that will contribute to the developing volatility of the evolving situation, it is clear that over the horizon scanning is challenging. Careful sequencing and adjustment of mission implementation to a highly dynamic context will be necessary based on continuous analysis. It is needed both to ensure the effectiveness of EU actions and avoid unintended consequences. Therefore, it should be considered that, whilst the reforms

foreseen by the mission statement are in essence a matter of long-term involvement, deciding now on a multi-year mandate is premature. For these reasons, the initial mandate will be two years, with a Strategic Review a year after launching the mission, in particular analysing progress on civilian security sector reform efforts against clear baselines, Ukrainian ownership, Mission achievements by then, the establishment of permanent field offices, security situation for staff and calibrate the next possible phase of the Mission. Further evolution of the Mission mandate beyond the initial two years will be conditions based and subject to Member States decision.

Initial mandate

Description

55. Through an engagement with advisors placed alongside the highest levels in the Ukrainian authorities, supported by an outreach outside Kyiv, as foreseen in para 53, the mission will assist in a comprehensive civilian SSR planning process, will support rapid preparation and the implementation of short term measures of reform and will make all the arrangements deemed necessary to coordinate and to cooperate with relevant EU and other international partners.

End State

- A Ukraine-led strategic level civilian SSR vision and a strategy for its implementation have been agreed, including a clear and agreed delineation of competencies and tasks;
- The Ukrainian authorities have designed a vetting process for its security sector;
- Ukrainian authorities have started implementing the reforms according to an agreed Road Map and Implementation plan drawn from the planning;
- The mission acts with other EU instruments in a comprehensive and targeted manner; delineations of competence between EU and international partners are agreed.

Duration

56. The Mission should be launched as soon as possible in response to the Ukrainian letter welcoming a CSDP mission. In order to demonstrate EU support and commitment the mission will aim at delivering concrete results rapidly. Full implementation and appropriation by UA authorities of all activities proposed could last up to 2 years in duration to achieve the end state. A strategic review will be undertaken a year after launching the Mission to inform decisions on a possible next stage.

Security

57. The security of mission staff and assets will be subject to operational planning and requirements based upon an updated SIAC Threat Assessment.

Risk

58. The key risks are the loss of reform momentum. The present system may prove resilient to the implementation of reforms. The EU may prove unable to respond to the Ukrainian request for support in a timely manner. In the regions, the physical risk to staff needs to be carefully and continuously assessed.

Possible next developments

59. Further developments could be as follows, but are subject to progress made with the various reforms and subject to the development of the situation on the ground.

Description

60. Through a gradual increase in regional deployment, possibly through permanent field offices throughout the regions, the Mission will assist the Ukrainian authorities in implementing reforms countrywide by mentoring and advising central bodies as well as local security services.
61. This would result in a civilian SSR, both short- and long-term, throughout Ukraine being properly implemented with clearly defined competencies and increased accountability to and

oversight by the Ukrainian authorities. It could be expected to produce effects on the security situation.

Risk

62. The key risks are that the EU is being associated with security services that do not deliver the services required by the population or even being seen as legitimising the actions of these services by mere presence and association with them. In certain regions in the East and the South, the physical risk to staff needs to be carefully and continuously assessed.

Possible future developments

Description

63. By continued assistance to reforms and the relevant Ukrainian institutions through the appropriate transfer of knowledge, through support the modernisation of the training system, the Mission could entrench the ability of the Ukrainian civilian security sector stakeholders to understand, prepare, implement and manage further reforms in the context of democratic accountability.

Risk

64. The key risk is a lack of commitment and allocation of funds for a reformation of training and related facilities.

Force Protection

65. Security assessments and risk mitigation strategies for any deployments would need to be elaborated early on in the planning process. Mission facilities would fall under the protection of the Ukrainian Law Enforcement Agencies. Depending on the security developments in certain regions of the country, special measures will have to be undertaken to ensure appropriate force protection.

End State

66. The end state further to these possible developments of the mission could entail:

- The Ukrainian authorities can use reliable, accountable and controlled security services at the service of the population for the stability of the country based on the rule of law. These services are under the control of the legitimate political authorities.
- The Ukrainian security services have recovered the monopoly on the use of force;
- The Ukrainian security services engagement has contributed to building confidence;
- Relevant Ukrainian authorities have developed their own expertise and structures in the view to carry on sustainable civilian security sector reform;
- Ukrainian security services reform in organisation, structures and management has rendered them able to further develop cooperation with EU and other international partners.

Exit Strategy

67. As the various objectives of the final end state are achieved, the mission could gradually scale down its activities.

68. Once the Ukrainian authorities have agreed their respective reform and implementation plans, it may be envisaged that the mission could draw down parts of its initial advisory component and that some of the capacity building activities needed to support Ukrainian capability to implement the reforms, once identified, could be transitioned to other instruments or partners.

69. This approach would imply a gradual disengagement and drawdown to a small core of advisory support over time to the point of mission closure. Detailed timelines will depend on operational planning analysis and considerations and final mission closure could be envisaged when comprehensive strategic advice is no longer required to inform and sustain the reforms and the support and the means to sustain those reforms have been identified, allocated, transitioned or transferred.

70. Coordination being one line of operation for the mission implies the need for the mission to remain constantly engaged with all international and bilateral donors with a view to ensure synergy and complementarity and with a view to identifying early possibilities for necessary transition to other projects, where appropriate.

Possible related and/or follow on EU actions

71. The EU support package to Ukraine for 2014-2017 (Single Support Framework) programming exercise could start during summer 2014 covering 2015-2017 budget commitments. One of the focus areas is expected to be the justice and rule of law sector. The start of the programming exercise is a good opportunity to ensure complementarity and follow-on to the engagement of a CSDP mission to ensure a sustainable security sector reform.

Risks to Mission accomplishment

72. EU is not seen as an impartial player in the country and the values and benefits of the EU engagement have not been properly conveyed and understood in all parts of the country. Therefore, the perception of an EU engagement may be negative in some areas, especially in the East. An increased engagement, especially with a potentially highly visible presence, may well increase this perception and should therefore be accompanied by a clear information strategy and messaging. Negative Russian or other propaganda could work directly against the mission, especially in the regions where Russian media are the main source of information.
73. If the Ukrainian authorities fail to deliver on the legitimate aspirations of Ukrainian citizens as regards the efficiency and law-based capacities of their law enforcement structures, whether they live in West or East and whether they support this government or not, there is a risk of disenchantment and protest and social unrest in the medium to longer term. The National Guard is generally regarded as an instrument from Kyiv in the Eastern parts, whereas in the rest of the country there is weariness vis-à-vis the remaining Berkut and Alfa units, some of which were directly involved in clashes with Maidan supporters. To be successful, any reform of the security sector would need to integrate both into legitimate and trusted forces or lead to their disarmament. The issue of regional or local forces also needs to be addressed.

74. The risk of not supporting Ukraine comprehensively and energetically in the key fields of civilian SSR, support of police and rule of law, and of not taking further action in a significant operational sense, with personnel on the ground providing both strategic and local advice, is that the reform efforts will not be taken forward comprehensively, paving the way for continued public distrust and political misuse of the institutions. This adds to the general risk of working in an environment where personalities and priorities are currently subject to swift changes.
75. The justice and security services were closely interlinked with the old regime. Reforms will affect the distribution of power and the interests of individuals who still hold or very recently held power. The prospect of lustration and investigation into the past may imply a risk that individuals and groups who feel threatened by the reform may try to obstruct it. This could mean that despite EU support, the system is resilient and reforms are seen as unsuccessful in addressing the existing problems in the areas of the rule of law, good governance and respect for human rights. The EU risks being associated with a lack of progress on these matters. It is vital that a link is established between the political and technical levels so that there is a strong political buy-in from the Ukrainian leadership in ensuring proper reforms.
76. Effective progress in the constitutional reform is another key factor in achieving the necessary reforms that are to be supported by the CSDP mission. Delays in constitutional reform will have an impact on mission achievements.
77. Institutional inertia, dogma, political or financial corruption and vested interests at all levels, including senior management, within institutions will create resistance to the implementation of reforms and could prevent translation of political will into practical change. Despite verbal commitment towards sweeping reforms, the central authorities fail to reassert full control over the institutions, both at a national and at a regional level. Vested business or criminal interests remain de facto in control thus derailing any genuine reform efforts.
78. With corruption and organised crime wielding significant influence over the security services, parallel progress on issues such as public administrative reform and public procurement are key to have success in the SSR efforts.
79. The need to address a rapidly developing and challenging crisis situation involving the need

to respond to and manage possibly multiple security incidents may distract the government and security services to such a degree that their engagement and concentration on planning and implementing reforms are undermined.

80. The lack of financial resources available to the government may undermine its ability to implement reforms.
81. Further deterioration in the security situation may result in restrictions to the geographical engagement of the mission.

V. **Organisation and Resources**

Command and Control

82. The PSC shall, under the responsibility of the Council and of the HR, exercise the political control and strategic direction of the CSDP Mission. The Civilian C2 structure will be in line with the model described in the EU Civilian C2 Concept. The Civilian Operation Commander (CivOpCdr) will exercise operational Command and Control of the Mission.
83. The Head of Mission (HoM) will assume responsibility and exercise command and control of the Mission at the tactical level. S/he will exercise operational command and control over the personnel assigned to her/him together with administrative and logistic responsibility over assets, resources and information put at the disposal of the Mission. Close cooperation and coordination between the HoM and possible EU agencies/bodies engaged in the Mission will be established and maintained.

EU Coordination

84. The Head of Delegation (HoD) in Kyiv is EU's political voice in the country. Close cooperation between the HoM and HoD should be established and maintained. Without prejudice to the chain of command, the HoD will provide local political guidance to the HoM. Both the HoD and HoM will elaborate consultation/information mechanisms, in particular as regards political aspects that could have an impact on the conduct of the Mission. The HoM will inform the HoD about contacts at her/his level that may have political implications. This

will be complemented by an appropriate liaison capacity from the Mission to the Delegation at working level, including concerning relevant EU assistance managed by EU DEL.

85. To ensure coherence and coordination of the EU political actions in Ukraine, and to make a coherent and effective use of EU's instruments and policies, the HoM will maintain close cooperation and coordination with representatives of EU MS in Ukraine as well as with other international and regional actors, in coordination with the HoD. Full efforts will be made to create synergies with and de-conflict with member states activities in line with the mapping exercise at Annex D. All this should contribute to a less fragmented Ukrainian security sector and remedying capability's shortfalls and avoiding redundancies.
86. To ensure common public relations messaging the Mission will work intimately with the EU Delegation to guarantee its coordination with EU Delegation public information lines and dissemination.

Coordination and Cooperation with External Partners

87. To ensure a common picture of the situation as it relates to the security sector reform and to coordinate reform efforts, the mission will work closely with other international actors under Ukrainian ownership to coordinate efforts.
88. Systemic cooperation, coordination and complementarities with other actors should be ensured to avoid duplication and ensure effective action. In this respect the Mission will take particular care to avoid any functional overlap with the OSCE SMM and is to establish robust de-confliction mechanisms with the OSCE.
89. Civilian SSR issues would have to be linked in with the defence reform issues at the strategic level as to make a clear delineation of task between the National Guard and the Armed Forces and how the Armed Forces would cooperate with other security sector agencies when it comes to civil emergencies and a number of other areas of cooperation and coordination. In this respect coordination with on-going NATO and other activities related to the armed forces is paramount. Two issues deserve a particular attention: support in developing a political control over security services , where the same principle should apply to both the military and the civilian security services, and the national guard that could be called to implement both

military and police tasks.

90. Similarly the activities of the mission will have to be linked with the work undertaken on border management. This necessitate in particular close coordination with the activities of FRONTEX and EUBAM Moldova/Ukraine.

Participation of Non-EU countries

91. As expressed above, the EU is not seen as impartial and could easily be targeted by propaganda. In this context when considering possible the participation of Third States, consideration should be given to regional implications and sensitivities.

Resources and Indicative Composition

92. The exact size and composition of the mission is subject to further operational planning. Indicatively, the following parameters will have to be considered for international staff:
93. Strategic advisors operating in Kyiv would be around 40.
94. If permanent field offices would be established, they could amount to around 10 staff each per Oblast.
95. If training teams would be established, these could be composed of around 10 each, depending on the type of training reform support to be delivered.
96. In addition, international mission headquarters staff (HOM, DHOM, POLAD, Admin, security, liaison to the EU Delegation etc.) will be located in Kyiv. The current thinking is that this HQ will support any activity outside Kyiv with only some limited support staff hired locally, as required.
97. Military expertise in the mission would be an asset to follow the process of the defence reform, identify possible interaction and provide specific expertise.
98. Border management expertise will be needed to follow activities in the field of border

management reform, identify possible synergies and ensure a proper coordination with the activities undertaken in this field.

Legal Framework

99. The EU legal framework will be provided by a relevant Council Decision establishing the mission, followed by a Council Decision launching the Mission.
100. A Status of Mission Agreement is to be concluded with Ukraine, in particular to provide privileges and immunities to the CSDP Mission and its personnel. Pending the SOMA conclusion, the privileges and immunities have to be covered by a unilateral statement by the Government.

Financing

101. The Mission will be financed from the CFSP budget. The use of the “Preparatory Measures” of the CFSP budget could be considered provided that the Council confirms its effective intent to establish a CFSP mission.

Information Strategy

102. A coherent EU Information Strategy, including public master messages in close cooperation and coordination with the EU Delegation will aim to inform all local, regional and international audiences of the EU intentions, actions and results. It will also contribute to the continued support for the EU commitment of the international community and international public opinion. The Information Strategy should underline the EU contribution to strengthening Ukrainian led reform efforts.

Engagement of the international community

Non-EU stakeholders

1. OSCE, NATO, the Council of Europe (CoE), the United States, Canada and others are active in support of SSR. A number of projects are on-going in the field of Justice. The CoE is implementing a program, on "Support of Criminal Justice Reform" worth 1.8mn EUR. The program, which is co-funded by Denmark, is focusing on assistance with regard to the implementation of the New Criminal Procedure Code through organizing trainings, seminars, conferences and study visits and includes some procurement for criminal justice actors. Canadian CIDA is implementing a Juvenile Justice Reform Project worth 7.2mn CAD. UNICEF and the Embassy of Sweden are engaged in reforms of the system for juvenile prisoners.

OSCE

2. The different institutions of the OSCE are massively engaged in Ukraine. The OSCE Special Monitoring Mission is building up to a staff of up to 500 monitors to strengthen its actions to reduce tensions, foster peace, stability and security and ensure respect for OSCE principles and commitments and facilitate the implementation of the Geneva Joint Statement. SMM is deployed to Kherson, Odessa, Lvov, Ivano-Frankivsk, Kharkiv, Donetsk, Dnepropetrovsk, Chernivtsi and Luhansk, providing a valuable and neutral source of regular reporting of developments on the ground.. The High Commissioner on National Minorities and the Office of Democratic Institutions and Human Rights are both engaged in issues related to the overall democratic development in Ukraine. The OSCE has also a Project Co-ordinator in Ukraine since many years.

UN

3. The United Nations have deployed a UN Human Rights Monitoring Team to Ukraine. A first report was issued on 15 May 2014.

International Organisation for Migration

4. IOM has engaged with and in Ukraine in various contexts including with EUBAM. In March 2014 a new EU-funded project (SURCAP) was launched to assist the Republic of Belarus and Ukraine to enhance their common border security. The overall aim of the project is to minimize illicit transnational activity such as smuggling and irregular migration through improved law enforcement cooperation. Specialized equipment will be procured for the border agencies of Belarus and Ukraine. Regional trainings on integrated border management techniques and best practices, as well as study visits of Belarusian and Ukrainian border guards to the EU, will be conducted. The project is to be carried out over a period of 30 months (2014 – 2016) and the project budget amounts to 5.3mn EUR in total for the two countries.

International Centre for Migration Policy Development

5. ICMPD is engaged in several projects in Ukraine including the IOM led SURCAP and a project contributing to the sustainable return and long-term reintegration of Ukrainian migrants without legal right to reside in the Netherlands.

Geneva Centre for Democratic Control of Armed Forces (DCAF)

6. DCAF's programmes have assisted Ukraine's democratisation process since 2001 with workshops, training and documentation, focusing on parliamentary, civil society and security institution capacity building on democratic security governance issues. DCAF's "Expert Twinning" programme, which trains groups of ministry staff since 2006, focuses on questions of civil-military interaction, the planning of resource management as well as the structural adjustment and improvement of the organisational process of the strategic defence management.
7. Further key focus areas, in response to priority issues identified by Ukrainian stakeholders, are parliamentary oversight and monitoring tools, as well as institutional reforms in the defence, intelligence and law enforcement agencies.

INTERPOL

8. In 2008, INTERPOL concluded the TACIS-Ukraine project. This was a joint project between INTERPOL and the EU providing police across Ukraine with updated tools and knowledge to tackle both domestic and international crime more effectively. TACIS-Ukraine improved the working capacity of the INTERPOL National Contact Bureau (NCB) in Kyiv by installing IT equipment and two mobile workstations. The mobile workstations give staff immediate access to INTERPOL's databases, wherever they are across the Ukrainian territory.

NATO

9. NATO's support to UA is conducted using existing channels and framework. NATO supports Ukraine's defence and related security sector reform through the Joint Working Group on Defence Reform (JWGDR) and the Partnership for Peace (PfP) Planning and Review Process (PARP) mechanism to assist Ukraine in the modernisation of its force structure, command and control arrangements and defence capabilities, plans and procedures, and to support the transformation of its defence and related security institutions into modern and effective organisations under civil and democratic control, able to provide a credible deterrence to aggression and defence against military threats.

USAID

10. The "FAIR Justice Project (FAIR)" is funded by USAID and has been working in Ukraine since October 2011. It focuses mainly on support to the development of the legislative and regulatory framework for the judiciary, the strengthening of the accountability and transparency of key judicial institutions and the professionalism and effectiveness of the judiciary; in addition to this it puts an emphasis on strengthening the role of civil society organisations in the justice sector.

The situation in the Ukrainian security agencies and other issues related to the delivery of rule of law**Organised crime and corruption as threats to reform efforts**

1. Organised crime and corruption are major factors threatening the national security and the constitutional order in Ukraine. They have significant negative impact on various aspects of the life of society: social and legal spheres, economy, politics, and international relations. Ukrainian authorities have established the legislative and policy framework on preventing and fighting organised crime in 2011. In addition to the law, there is a Strategy ('Concept') for state policies on fighting organised crime dating from October 2011, which was fleshed out in an Action Plan adopted in January 2012. The legal framework on preventing and fighting organised crime was completed through relevant amendments to the Criminal Code and especially through the relevant provisions of the new Criminal Procedure Code which came into force on 19 November 2012. The Criminal Procedure Code contains provisions essential to the fight against organised crime. The state authorities specifically created to combat organised crime — inside both the Ministry of Internal Affairs and the Security Service — can further improve the system of state authorities involved in the fight against. All the steps taken by UA authority are largely in line with European and international standards.
2. Endemic corruption was one of the primary triggers for massive protests in Ukraine in late 2013 – early 2014. According to Global Corruption Barometer, carried out by Transparency International (TI) in 2013, 36% Ukrainians were ready to take to the streets in order to fight corruption and according to a survey conducted by IFES in late 2013, 47% citizens name corruption as one of the gravest problems within society. Ukraine is ranked 144 on the TI Corruption Perceptions Index 2013 between Denmark (1) and Somalia (175).
3. Ukraine signed the United Nations Convention against Corruption (UNCAC) on 31 October 2003 and ratified it on 18 October 2006. It became a party to the UNCAC on 1 January 2010. Ukrainian legal framework is only partially compliant with UNCAC and there is a wide range of legal and institutional gaps in implementing the UNCAC. Recent studies expresses the view that the judicial system, the law enforcement system, and the operations of the police

might still be influenced by the wrong principles established during Soviet times and during the first years of independence.

4. Recommendations by the Group of States against Corruption (GRECO) and anti-corruption recommendations stemming from the EU Visa Liberalization Action Plan (VLAP) for Ukraine include inter alia the set-up of independent anti-corruption institutions, reform of the prosecutor's office, the public service and the system of public procurement and establishing the system of control for prevention of conflict of interests and for asset integrity of public officials.
5. For successful SSR, there is a need to address the issue of the endemic corruption in the services. Some of this work is already catered for in the framework of public administrative reform, public procurement and educational reform but needs to be emphasised also in the light of successful SSR.
6. Regarding anti-corruption policy, although substantial progress has been achieved in the last two years, further improvements are still necessary to complete the legislative and policy framework
7. The anti-corruption strategy, which is currently in place, has turned out to be a non-sufficient tool for tackling the problem decisively and comprehensively: none of the institutions in Ukraine, which are currently entrusted with the responsibilities for development and implementation of anti-corruption policies, possess the necessary capacity, powers or independence to adequately fulfil its role. Furthermore, there is no effective monitoring and evaluation tool related to anti-corruption measures in place and especially civil society is not involved in a satisfactory manner.
8. In order to regain the trust of the population and to set up a functioning system for the prevention of and fight against corruption it is vital to develop a new Anti-Corruption Strategy, which is taking into account the principles of respect for human rights, of strengthening the national integrity system, of priority of preventing corruption, of cooperation with the civil society and international bodies and the transparency principle. The ultimate goal has to be defined as to reduce the level of corruption in public and private by transforming corruption from a low-risk activity with benefits into inconvenient and high-risk

activity and contributing to creation of “zero tolerance” environment towards corruption in Ukraine.

9. Ukraine signed the United Nations Convention against Corruption (UNCAC) on 31 October 2003 and ratified it on 18 October 2006. It became a party to the UNCAC on 1 January 2010. The Ukrainian legal framework is only partially compliant with UNCAC so there is a range of legal and institutional gaps in implementing the UNCAC. Recent studies express the view that the judicial system, the law enforcement system, and the operations of the police might still be influenced by the wrong principles. The Ukrainian law was highly deficient and non-compliant with international law until the adoption on 7 April 2011 of a new Anti-Corruption Law, with provision 12 on financial control effective only on 1 January 2012. The lack of the reforms in the Ukraine’s judicial system, criminal justice, electoral law and enforcement system are significant obstacles to the implementation of this law.
10. Ukrainian legislation requires public officials to report corruption and includes general provisions on protection of whistle-blowers. In practice, the protection of whistle-blowers appears to be perceived rather restrictively (i.e. it is limited to criminal investigations). Ukraine has introduced a few general provisions in a number of sectoral regulations to remedy this. More efforts are needed to further widen the scope of protection and create a culture of trust in reporting mechanisms.

Money Laundering

11. In the area of money laundering significant legislative improvements have been made in recent years and a good system seems to be in place for ensuring oversight of the overall policy. An annual Action Plan is adopted every year spelling out in detail the National Strategy covering the period up to 2015 (adopted by the Cabinet of Ministers). The Action Plan includes concrete measures and the responsibility for implementing them is clearly allocated to particular institutions. The plan also includes deadlines for the different measures.
12. The areas where further work is necessary concern the need to cover domestic politically exposed persons (PEPs) in the legislation and to clarify the fact that money laundering is a stand-alone crime, despite some relevant case law already pointing in that direction. Money laundering should be seen as going beyond mere association with criminals for the purpose of

hiding evidence of the crime in order to achieve better results in tackling large-scale economic crime and depriving criminal groups of illicitly acquired wealth.

13. As regards criminal procedures, in order to further enhance the effectiveness of the fight against organised crime, in particular corruption and money laundering, it would be advantageous to introduce more advanced types of confiscation (extended confiscation, non-conviction based confiscation, value confiscation and consequently the creation of an independent agency for the management of seized and confiscated assets).

Anti-Corruption efforts

14. The State Migration Service (SMS) within the Ministry of Internal Affairs is the body responsible for managing the register and issuing international passports and other identity documents. The service adopted an ethical code in 2011, focusing on the integrity of the civil service, asset declarations and rules on whistle-blowers. It remains to be seen whether updates are necessary, due to the subsequent changes in the overall legal framework on anti-corruption.
15. Within the SMS an Anti-Corruption Division was established in April 2012 to combat and prevent corruption. An Annual Action Plan on preventing and countering corruption offences is approved by the Head of the SMS.
16. In the area of Border Management, all the necessary laws are in place along with the institutional framework, including provision of training and ethical codes to fight corruption.
17. The Border Guard Service (BGS) Academy has further improved its level of training and training conditions. As regards the institutional structure a specific department has been set up within the BGS with specific tasks to prevent corruption. The curriculum of the BGS Academy includes 114 academic hours of legal studies on fighting corruption and the code of conduct of personnel responsible for Border Management. There is also special training at advanced level for Border Management personnel.

18. Other concrete measures are also in place: there is a Public Reception Office for citizen claims, and a hotline open 24 hours a day. Anti-corruption campaigns are being conducted, including in cooperation with certain NGOs.
19. As regard customs, the Ministry of Revenue and Duties has also strengthened the Internal Security Department dealing with corruption cases. It has received broader powers to detect and prevent corruption offences in customs sphere. The Customs Anti-Corruption Strategy includes the objectives to reduce corruption amongst staff through preventive work and shaping negative attitude towards acceptance of bribes.
20. The Security Service of Ukraine has in its Central Directorate a functional unit that has combating corruption and organised crime as an objective. Moreover it looks at the spread of corruption within the state authority bodies, fusion of business and politics as well as organised crime.

Investigation of Malpractice of Police and High Rank Officials

(State Bureau of Investigations/SIB)

21. For the past decade the endemic corruption as well as ill-treatment and other malpractice by law enforcement officers and other (high) officials has been a general concern of society and heavily contributed to the disapproval of people across the country. The problem continues unabated today. Existing pieces of legislation regarding the prevention of and fight against corruption are fragmentary and partially in contradiction or without necessary connection to other parts of the general legal framework. Implementing tools and resources are premature. These shortcomings, coupled with a lack of knowledge and limited commitment at some levels of decision-making, lead to a high level of impunity and deterioration of public trust vis-à-vis authorities. Malpractice of officials can only be prevented when they know they will be effectively held to account for their actions. As well as removing the incentive for illegal behaviour, there must be a strong deterrent – a strong likelihood of disciplinary or criminal punishment.

22. The new Criminal Procedure Code includes a provision for the establishment of a SIB, a specialised body concerned with crimes attributed to high level officials and members of law enforcement bodies. It is envisaged to create an institutionally separate body investigating the categories of crimes concerned, including law-enforcement (police) abuses and (high-level) corruption. The Prosecutor's Office, through its role in ordinary law enforcement operations, is not able to investigate such allegations impartially so that it is crucial that this SIB is urgently created as a genuinely independent, impartial, effective, easily accessible and transparent institution under public scrutiny. Political willingness to start the set-up process on a very short notice has been stressed repeatedly by different stakeholders and decision-makers. However a clear strategy and related action plan on this are still lacking.

Prosecutors Office

23. Currently the PO suffers mainly from an undue centralisation combined with the dependence of the Prosecutor General on the confidence of Parliament, and prosecutors' excessive competencies outside the criminal justice system. The PO with its prominent role during pre-trial investigation and as coordinator of all different law enforcement agencies and interface with the judiciary has to be transferred into a transparent, democratic and efficient institution in order not to jeopardize a comprehensive approach towards SSR. A law, which is addressing many of current deficiencies, has been passed by Parliament in the first reading. There are however concerns to be addressed. The draft still provides for the retention of functions that go beyond the criminal (continuous legal representation of natural persons and public authorities in other than criminal cases), it does not address key issues related to independence (clear procedural safeguards regarding appointment, dismissal, disciplinary measures) nor does it eradicate the threats to the independence of subordinated prosecutors and keeps the time limit of terms of office of GPO, recoupled with reappointment.
24. The new CPC, which entered into force in 2012, sees the prosecution as the procedural leadership of criminal investigations, giving guidance and supervision to all other pre-trial investigation agencies. To this end a smart cooperation, coordination and communication of law enforcement agencies with the prosecution service is at the core of a comprehensive SSR. This is especially true as with the National Guard (NG) a new player in the security sector has been created, which had not been put on the map at the time of the adoption of the CPC. The

maintenance or, where necessary, the reestablishment of law and order will depend heavily on the success immediate and smooth cooperation and communication of all agencies involved. Currently PO is lacking capacities in fulfilling its coordinating role, inter-agency communication and common information systems are premature or missing. Against this background, EU should provide strategic advice in countrywide and uniform fulfilment of the coordinating and leading role of PO with regard to all pre-trial investigation agencies in order to ensure an effective, transparent and lawful investigation process. Training efforts should be made in order to contribute to a uniform and smooth implementation of new competencies in the regions. Actions as proposed in this document will avoid any overlap or contradiction with on-going projects and especially the Super-twinning. The latter is designed for providing advice for the long-term restructuring of the institution through one permanent adviser and added short-term ad hoc expertise.

25. A new investigative unit, called the State Bureau of Investigation is foreseen to be established by new CPC, and will be competent in pre-trial investigations on crimes committed by officials holding a particularly status, judges and law enforcement personnel. For the functioning of the State Bureau of Investigation further acts need to be adopted according to the final and transitional provision of the CPC. The draft law on the Prosecutor's Office is equally relevant in this context.

Minister of Justice subordinated Penitentiary System and MIA temporary detention isolator

26. The political fragile situation adds to the long existing problems of mistreatment and bad conditions of detention: Especially in the eastern regions of the country, disloyalties of the (heavily armed) staff of the penitentiary service, which could lead to mass outbreaks and further destabilisation of the region, cannot be excluded. With regard to the situation of the almost 3000 inmates on Crimea the MoJ is in charge and the current situation of these people is unknown. A current series of hoax, which puts the loyalty of the staff in the eastern part of the country in question in the eyes of public, cannot be handled professionally by media-officers and contributes to misinformation and anxiety of population. The above-mentioned regular use of force and special means is boosted by an ambiguous legal framework, which appears to leave the door open to a disproportionate response. Moreover the practical implication of the new provisions as introduced by CPC is still generating some confusion among staff as to the division of tasks and duties under the new Code. Such confusion was

reinforced by the limited period during which Internal Affairs staff could be offered training and the limited capacity of training institutions. Currently there are still serious infringements related the right to inform a close relative or another person of one's custody, the right of access to a lawyer and the right of access to a doctor, which should be granted as from the very outset of the de facto deprivation of liberty. Another persistent problem is the non-recording or unduly delayed recording of apprehended persons. In a wide part of the penitentiary system it can be observed that prison workers partly delegate authority to a criminal subculture in order to secure security.

Judiciary

27. In 2010 the Parliament adopted the "Law on the Judicial System and Status of Judges", which is the legal basis for the organization of the judiciary and the administration of justice in Ukraine. Under the reformed judicial system, there is the constitutional court and a system of general jurisdiction courts based on the principles of territoriality, specialization and instances. The currently effective, unified system of general jurisdiction courts is comprised of local courts of first instance, appellate courts, highest specialized courts (cassation courts) and the Supreme Court, which is the highest judiciary authority in the system of general jurisdiction courts. Despite some improvements, introduced through the above mentioned law (e.g. random assignment of cases, mandatory initial training for judges), the new law was perceived ambiguously as it was not consistent with a number of European standards, especially with regard to the independence of the judiciary. The law created serious leverage for political pressure on judges and new mechanisms have been created to keep each judge under constant threat of disciplinary action and dismissal (for example, a violation of the terms of cases). Despite the formal constraints of the President and Parliament to take part in shaping the judiciary, the Centre of decision-making has shifted to political power controlled by the High Council of Justice and the High Qualifications Commission.

The Eastern Partnership Panels

28. The Panel on Improved Functioning of the Judiciary in the Eastern Partners' countries was established in 2011 and seeks to facilitate the exchange of best practices on key justice reform aspects, including role of High Judicial Councils and Reform of the Prosecutor's office. The Panel on Integrated Border Management focuses on better coordination between border and

customs services, and supporting related training and infrastructure. The Panel on CSDP is mandated i.a. to provide a forum for sharing experience on engagement in international crisis management and peacekeeping activities, development of national capabilities for those purposes, as well as on overall security sector reforms.

Overview UA Security Sector

29. In general, the existing legislation, structures, training, institutional cultures and procedures of the Security Sector lack the harmonisation necessary for effective coordination. There is weak or non-existent oversight and accountability leading to inadequate guards against the misuse of existing security capabilities. There is also a great deal of duplication and the demarcation between their different competencies is unclear. Furthermore, as a result of recent events, the National Security Doctrine has become inadequate and work is commencing to define a new Security Policy for Ukraine.
30. The Security Service, the Police, the Border Guard and the National Guard all appropriately possess intelligence capabilities. However, there is no clear understanding or demarcation of intelligence roles and competencies, no common approach to analysis and no national intelligence model or framework. Therefore intelligence relating to crime, corruption and terrorism is not shared, is not fully collated and analysed, and is not fully effective as a decision support tool for those responsible for the allocation and prioritisation of resources.
31. There is also no joint coordination in response to major events, be they natural or man-made, in case several agencies have competencies and need to coordinate efforts.

The National Security and Defence Council - NSDC

32. The NSDC is the overarching policy body responsible for law enforcement and security. It is the appropriate authority for delivering the policy framework necessary for achieving cohesion across the security sector.

The Ukrainian Armed Forces - UAF

33. The MoD leadership recognises the need to reform the UAF and emphasised that partnership and cooperation with other nations would be a crucial impetus for the continued reform work. They have stated that NATO standards were the goal post but explained that membership was not an ambition at the current stage.

The Security Service of Ukraine – SSU

34. The SSU is the primary domestic intelligence agency responsible for the gathering, collation and analysis of information relating to threats to national security including espionage, subversion and the activity of foreign intelligence agencies. It is also the lead Ukrainian agency responsible for protection of critical infrastructure, both physical and electronic (cyber). The SSU has law enforcement and detention powers and is able to conduct operations independently of other law enforcement agencies. It is the largest security service in the country and possibly also the least reformed one.
35. The role played by the SSU during the Maidan protests confirms that one of the most important reform tasks is to depoliticize the service. As well as reform design and management advice, the SSU requested advice, support and training in specific areas such as information and data protection, the investigation of cyber-crime, analysis and intelligence management.

Ministry of Internal Affairs – MIA

36. The MIA is responsible for policing, for the new National Guard and for general public order. Based on discussion so far, the MIA as a whole seems to be lagging behind the NSDC, SSU, BGS and MoD in its willingness to engage meaningfully on reform, despite the new political leadership and the awareness that reform is required.

Border Guard Service – BGS

37. BGS is under the overall authority of the MIA, but has in practice enjoyed a status as an independent government department with its own budget and operational autonomy. As part of MIA's ongoing restructuring, MIA has taken over budgetary authority of the BGS with a further objective to integrate BGS into MIA as a border department.
38. As part of the declared MoI reform intentions, the BGS will transform from being of part civilian/part military organisation into a civilian law enforcement agency. Currently the BGS is by law tasked to repulse invasion of the territory of Ukraine by a foreign state. Subsequently the BGS is in large parts organised along military lines, supplied with weaponry according to task and upholds military status (privileged combatants) and trained in military disciplines.
39. The transition of the BGS into a civilian security agency will require substantial changes in organizational structure, doctrines, tasks, training etcetera. Support in this specific field of SSR would be needed in lack of prior experience within the Ukrainian authorities.
40. Because of the on-going conflict, the BGS has recruited additional 4000 people in March to enhance the capacity of border protection towards the East and Crimea in particular. BGS have also requested urgent additional support measures in equipping the units and in general to modernise the BGS.
41. The BGS has a reasonable awareness and expressed commitment to transform in accordance with European border guarding standards and practices. It has good professional reputation and it is considered one of the least risky agencies with regards to corruption. The Service has good relations with its neighbouring EU member states' border guard agencies and EU actors (EUBAM Moldova – Ukraine and FRONTEX). To continue the development there is an need to strengthen and implement a comprehensive IBM Strategy to Ukraine that has to be based on Ukraine's redrafted security policy.

42. In general the BGS is seen as one of the most progressive and least corrupted of the Ukrainian security agencies.
43. There are however variations within the BGS regions, mostly linked to the countries they are bordering to: EU Member States, Eastern Partnership Member States, ICMPD Member States, EUBAM Area of Responsibility (Republic of Moldova including Transnistria) and Russia. Support to expanding the best practices from some regions to others could be crucial in reaching an all-encompassing SSR for the BGS.
44. A large number of international organisations, NGOs, single countries are engaging Ukraine in the field of border security. Many of those projects and stakeholders are interlinked, but an all-encompassing, functioning donor coordination mechanism has not been established, neither between the stakeholders (donors) nor within the Ukrainian state administration.
45. Establishing such a mechanism would be a major contribution to ensure synergy and a higher total outcome of investments made and would limit overlapping or contradictory activities.
46. An important element of Integrated Border Management is cooperation, both nationally and internationally, in order to have a common situational picture, exchange information and coordinate/complement operational efforts. Although some elements are found, significant variations have been observed. International cooperation is found to be more existent at borders with EU or where EU activities are involved.
47. Although some inter-agency cooperation mechanisms are in place at higher levels with resulting analysis reports, the operational level is lacking in this field where improvements would produce better “in-the-field” results.
48. A much needed improvement of the inter-agency cooperation would therefore benefit not only the BGS operations but also support the implementation of the Visa Liberalisation Action Plan in areas where inter-agency cooperation is lacking behind.

Police

49. The police's reputation has been bad for a long time and was further tarnished by the events on Maidan. Salaries in the police as in the other services are extremely low and the service is widely regarded as financially and politically corrupt. Morale is low and new recruits often leave after training and serving for a short period to take up better paid work elsewhere.
50. There is a critical need for the Ukrainian police to regain public trust and credibility as well as to re-assert the rule of law and the state's monopoly on the legitimate use of force. Despite an apparent and stated eagerness to reform, the police seem to lack the knowledge needed to overcome institutional inertia and to implement change.
51. Due to the high level of corruption and interventions of the Berkut Police, the public has a lack of trust when it concerns the police. Trust could however be regained by implementing Community Oriented Policing (COP) in the police organisation. This basic concept is fundamental to the functioning of a democratic police. It is the cultural and philosophical framework of and for the police – is based on five pillars: external orientation, problem solving, partnership, accountability and empowerment. EU could provide expertise to help redraft police doctrine, mission statement, code of conduct, police handbook, and the legal framework to incorporate EU and international best practices on Community Oriented Policing that is adapted to the wishes of the Ukrainian authorities and local context.
52. One of the most visible weaknesses is the lack of community engagement by the Ukrainian police. The considerable level of distrust between the community and the police can be resolved by considering appointing liaison officers to create a more formalised engagement with civil society, including the general public, religious, ethnic, and hard to reach groups as well as NGOs. This will help it develop its community links and provide a two-way channel for communication. In addition a professional liaison mechanism with the media should be set up.
53. The MoI and Heads of police of Ukraine besides COP also welcomed Intelligence Led Policing (ILP) as a concept to work in a more efficient way. Intelligence led policing is the permanent concern of the police for running the organisation at strategic, tactical and

operational level on the basis of information about insecurity, liveability, criminality and the functioning of the police (experience and skills). It ensures the safety of the community and the officers while staying within budget. The aim of the Ukrainian police should be to gain awareness of why ILP is important, how to apply it, learn how ILP will enhance the information sharing environment and understand how it will help focus limited resources within the budget.

54. There is a gender imbalance in the police. In addition, recruitment from the various minority ethnic groups could not be quantified but again this is understood to be low.

The National Guard – NG

55. The NG was created to address a perceived capability gap as the Constitution and applicable legislation only allow the armed forces to be deployed within the country during a state of national emergency and the police are perceived to lack the resources to manage widespread violence, insurgency or to support the BGS in securing the integrity of the state borders. Another reason for creation the NG was the need to employ anyhow those fighting at Maidan in order to avoid possible dispersion of violence after Maidan fights finished. Establishment of the NG was not fully planned or thought through and that other models were not thoroughly studied. The NG possesses a military combat capability and is tasked to support the territorial integrity of the state in support of the BGS and, in collaboration with the SSU, to protect critical infrastructure, government buildings and diplomatic missions.
56. The NSDC and the NG leadership requested high level advisers to be placed within the NG to help guide its development. The creation of the NG may result in duplication of resources with the armed forces as well as the police and implies a risk of increased complexity in security sector coordination. The MIA faces a massive challenge to create a disciplined and cohesive structure, particularly at a time when it faces significant reform and security challenges in other areas and given the poorly prepared and out-dated training capabilities that are presently available.



MINISTER FOR FOREIGN AFFAIRS OF UKRAINE

8 May 2014

Kyiv

Dear Baroness Ashton,

In follow up to my letter of 20 March 2014 I would like to express my high appreciation of the consistent EU support for Ukraine aimed at counteracting Russian aggression and stabilizing internal situation. In this regard, we are especially grateful for the EU contribution to facilitate the work of the OSCE Special Monitoring Mission in Ukraine.

On the backdrop of consistent efforts of the Government of Ukraine, supported by our key international partners, the situation in the Eastern and Southern regions of Ukraine remains very fragile, to great extent due to the destructive role of the Russian Federation.

In this regard, following the European Council Conclusions of 20 March 2014, we would welcome if the Council remains seized of the matter of drawing up the EU CSPD Mission which could decisively contribute to de-escalating of the situation.

Sincerely yours,

Andrii Deshchytsia

**H.E. Baroness Catherine Ashton
High Representative of the European Union
for Foreign Affairs and Security Policy,
Vice-President of the European Commission
Brussels**

MAPPING EXERCISE ON CIVILIAN SECURITY SECTOR REFORM BETWEEN EU MEMBER STATES AND UKRAINE

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Member State	Activity	Aim of activity	Date & place	Amount of assistance	Remarks
CZECH REPUBLIC	Justice/RoL Cooperation and training/mentoring support of the Ministry of Justice of Ukraine.	The overall aim is to provide support to the Ukrainian judicial sector through assistance and training/mentoring activities for judges, prosecutors and officers of the Ukrainian Ministry of Justice.	TBC		Preparations for the conclusion of a MoU enabling cooperation and training/mentoring assistance have been started in 2013 (first draft delivered to the Ukrainian side on April 2013). Further negotiations postponed due to the crisis in Ukraine, the Czech Republic ready to renew the process leading to an MoU.
	Police Cooperation in Education/Training	Cooperation between the Police Academy (Prague) and the Lugansk University of Internal Affairs E. A. Didorenko (Law School in Donetsk), based on an agreement on cooperation.			Two visits at the Police Academy in Prague have taken place (2009, 2010) so far.
	Defence Bilateral Cooperation Plan (BCP) for 2014 between the MoD of Ukraine and the MoD of the Czech Republic	Cooperation between Czech and Ukrainian armed forces with focus on the area of training, education, logistics and protection against WMD.	Centre of Excellence for the protection against WMD, Vyškov, Czech Republic.		The Bilateral Cooperation Plan for 2014 (preceded by the BCP for 2013) has not been approved so far by both sides due to the crisis and recent events in Ukraine. The Czech Republic is ready to continue the process and expects a possible new dynamic in the bilateral cooperation in the area of defence, pending the development of the situation in Ukraine.
DENMARK	Financial support (sole donor) to the Council of Europe project on 'Criminal justice reform'	Contribute to: 1) Implementation of the Criminal Procedural Code (training activities) and monitoring hereof in cooperation with the Ombudsman's Office, 2) Adoption of a new law on the Public Prosecutor's Office and relevant sub legislation in accordance with European standards. 3) Enhance the capacity of prosecutors and other key groups of legal professionals in applying European standards in their daily work	Mainly in Kiev, but also activities in regions	EUR 1,84 million (2012-15)	It is planned to extend the support to the Council of Europe's activities in the field of Criminal justice sector reform with a new allocation in 2015 covering 4 years (2015-2018).
	PSOTC sponsorship (Students)	Danish sponsorships of students at various courses at PSOTC	Sarajevo, BIH 2014	6.000 Euros	
	BALDEFCOL scholarship	Denmark sponsors one officer at the Baltic Defence College (BALDEFCOL) in Tartu at the Joint Command General Staff Course (JCGSC) or the Higher Command Staff Course (HCSC)	August 2014 - June 2015	10.000 Euros	
	Army Co-operation (UN Civil-Military Cooperation Course)	Denmark offers two sponsored seats at either UN Civil-Military Cooperation courses I and/ or II. The courses take place in Denmark and Denmark pays for air tickets, food, transportation and accommodation	First 2014-I course 6 th – 11 th Apr Second 2014-II course 5 th – 10 th Oct	2.000 Euros	
	Army Co-operation (UN Civil-Military Cooperation Course)	Denmark offers two sponsored seats at either UN Military Police course I or II. The courses take place in Denmark and Denmark pays for air tickets, food, transportation and accommodation	Second course in 2014 2014-II course 25 th Aug – 12 th Sep	6.000 Euros	
	Air Force Co-operation	Specific WING OPSCTR training in establishing good Air Transport coordination procedures compatible with NATO standards	24 – 28th FEB	13.500 Euros	
	Air Force Co-operation (Strategic Air Transport)	NATO standard procedures Air Transport and cargo handling. Will be conducted in connection with "karup Air Show 2014"	19-23rd JUN22-26th SEP	10.000 Euros	

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	Army cooperation (LOGEX15 pre-training on LOGREP user and Train the trainer course)	Training event leading up to LOGEX15 on LOGREP user and Train the trainer course	24 th Feb – 07 th Mar	1.600 Euros	
	Army cooperation (LOGEX15 pre-training on ADAMS user course)	Training event leading up to LOGEX15 on ADAMS user course	17th – 28th Mar	1.600 Euros	
	Army cooperation (LOGEX15 pre-training on LOGFAS Staff Officers (overview) course)	Training event leading up to LOGEX15 on LOGFAS Staff Officers (Overview) course	15th – 19th Sep	1.600 Euros	
	Army cooperation (LOGEX15 pre-training on EVE/CORSOM)	Training event leading up to LOGEX15 on EVE/CORSOM	22nd – 26th Sep	1.600 Euros	
ESTONIA					under consideration
FRANCE	Projet UE de soutien aux réformes de la justice : consortium conduit par le GIP JCI	5 objectifs : (i) élaboration d'une stratégie de coordination du secteur de la justice ; (ii) soutien à la réforme de la police ; (iii) soutien à la réforme du Parquet ; (iii) appui au respect des droits de la défense et à l'accès à la justice ; (iv) appui à l'indépendance de l'ordre judiciaire ; (v) prévention et lutte contre la corruption	2013-2016 (36 mois)	6 experts de long terme 8,6 M€	
	Jumelage UE de renforcement de l'efficacité et des capacités de gestion des cours administratives en Ukraine au bénéfice de la Haute cour administrative d'Ukraine: consortium France-Lituanie-Suède comprenant le GIP JCI	Aider l'ordre administratif ukrainien à s'aligner sur les meilleures pratiques européennes : renforcement des capacités institutionnelles, du cadre législatif et réglementaire, des capacités de formation et de l'information du public sur l'ordre administratif	2012-2013 (24 mois)	1,5 M€	
	Jumelage UE de réforme de la sécurité publique : consortium France-Roumanie comprenant la Gendarmerie française	Amélioration du fonctionnement des forces du ministère de l'intérieur ukrainien	25/10/2012-31/01/2013 (12 mois)		NB: Les forces spéciales du ministère de l'intérieur Berkout n'ont pas bénéficié de ce projet

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Member State	Activity	Aim of activity	Date & place	Amount of assistance	Remarks
HUNGARY	Eastern Partnership cooperation in fight against irregular migration-supporting the implementation of Prague process Action Plan. (EaP-SIPPAP project)	The overall objective is to contribute to an enhanced strategic and operational co-operation in the EaP region. This cooperation will primarily aim at the prevention of irregular migration and the support of border management in a more efficient and coordinated way. Specifically, the project seeks: <ul style="list-style-type: none"> – to enhance bi- and multilateral international cooperation between EU-EaP and EaP-EaP countries in line with existing border management concepts; – to improve national inter-agency cooperation in the participating countries in line with existing border management concepts; – to improve training programme in the national migration/law enforcement training institutions in the EaP countries. 	19 April 2013 -18 April 2015 (2 years) in the 6 Eastern Partnership countries, including Ukraine	The project is EU co-funded. Hungary contributes with cash and other in-kind contributions	The project is led by Hungary (Ministry of Interior) The State Border Guard Service of Ukraine is one of the beneficiaries of the project. Other implementing EU countries are: Latvia, Poland, Slovakia and Romania
	Hungary-Slovakia-Romania-Ukraine ENPI Cross-border COOPERATION PROGRAMME 2007-2013	The aim of the project is to improve the border-crossing transport infrastructure and equipment for border controls.	The Grant Contract was signed on 6 December 2013; the implementation will last until June 2015 (18 months).	The project is EU co-funded. Hungary contributes with cash and other in-kind contributions.	The project is led by Hungary (Hungarian National Police Headquarters).
	Large Scale Projects;	Planned investments are the following:			The State Border Guard Service of Ukraine and the Chop Customs Office of the Ministry of the Taxes and Revenues of Ukraine are the other beneficiaries of the project.
	“Improve the effectiveness of border-crossing at the Ukrainian-Hungarian border section”	1. Development of Beregsurány-Luzhanka road Border Crossing Point (BCP) 2. Establishment of Záhony Common Contact Point - a “consultative centre” at the “Záhony-Chop” CBC point 3. Development of Tiszabecs-Vylok BCP - in order to make easier the passport control of the tourists canoeing or kayaking on the river Tisza. 4. Acquisition of equipment; Training for the Ukrainian border guards			
	Expert advice on professionalization of the Armed Forces	Since Hungary has gone through the same process of ending conscription etc. we have offered consultations to handover our experience.	TBD	Consultations based on Ukrainian demand.	
	English Military Language Training	English Military Language Training to improve language skills of Ukrainian officers and NCO-s.	Based on invitation	1-3 courses per year, 300 hours per course in Budapest.	Budapest-based courses are basically free of costs for Ukrainian participants/state. However, Ukrainian demand to participate is very low.
IRELAND	Ukraine II Trust Fund	Destruction of SALW and MANPADS	Ireland became a donor in 2011	€75,000,Project ongoing	Ireland is one of six donors to this project.

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Member State	Activity	Aim of activity	Date & place	Amount of assistance	Remarks
					10,330 tonnes of Conventional Ammunition, 130,100 SALW, and 332,352 mines were destroyed between May 2012 and April 2014
	UA participation in training courses offered by the Ireland's Permanent Defence Force	To improve capability of armed forces			Cooperation on training is conducted in the framework of PfP
LITHUANIA	Additional slots international NGO training course	Train the trainers – increase capacity of Ukrainian NGO corps	28 Apr – 30 Jun	3	
			1 Sept – 1 Oct	Up to 10	
			20 Oct – 19 Nov	Up to 20	
LUXEMBOURG	Support through OSCE	OSCE Special monitoring mission to Ukraine	2014	100.000 euros	
POLAND				Poland declared 2 experts in response to the enquiry from CECIS: one for civil protection and one expert on chemical hazards.	DG Echo is analysing the situation at the moment.
	Financial support for Ukrainian Fire Service			50 thousand Eur	
	Ministries of Justice cooperation programme	Close and effective cooperation in information exchange and lessons learned on law and legal practice. Regular experts consultations on civil and penal law.	2014-2016		The programme was signed on 29 of May.
	Ministries of Defence cooperation programme	Training assistance for Ukrainian Armed Forces, including in the Navy Academy.	2014-2016		The programme will be signed shortly
	POL-UKR-LT Brigade for peacekeeping missions				Final documents will be signed shortly
	Materiel support for Ukrainian Armed Forces			18 tons of non-combat equipment (i.a. tents, food rations, soldier	

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Member State	Activity	Aim of activity	Date & place	Amount of assistance	Remarks
				personal equipment)	
	Eastern Partnership Police Cooperation Programme	<p>The programme aims at fostering cooperation on police issues related to cross-border crime between the Eastern Partnership countries, including Ukraine and EU countries and Eastern Partnership countries themselves, thus contributing to strengthening rule of law in these countries.</p> <p>Main activities:</p> <p>The programme is built around two components: partnership-mentoring between the police authorities of EU and Eastern Partnership countries as well as managerial and operational support to police and security authorities in the partner countries.</p> <p>Under the first component, partnerships are created between the police forces of EU and Eastern Partnership countries', leading to exchange programmes, specialized training for the units in charge of serious transnational crimes, advanced training in the field of countering financial crimes and money laundering, organised crime, cyber-crime, drugs trafficking, trafficking in human beings, operational meetings for joint investigations, regular meetings with EU liaison officers and officers of specialised EU agencies, such as EUROPOL, CEPOL and FRONTEX, as well as preparations for a potential future agreement on data exchange.</p> <p>Under the second component, specialized training for the units in charge of serious transnational crimes is organized, with a focus on the legal framework to combat these crimes and effective investigation techniques. The programme also helps to share best practice on management, to improve the managerial standards of Eastern Partnership countries' police and security authorities. Focus on ethics and corruption in the law enforcement agencies, human resources management.</p>	2013 – 2017 Eastern Partnership countries	<p>EUR 5 milion</p> <p>Contract was signed at the end of 2013.</p> <p>Implementation from the beginning of year 2014 /since January 2014 preparative phase/.</p>	<p>Implementation:</p> <p>Poland /Ministry of the Interior/ is leading country.</p> <p>Programme implementation in co-operation with: France, Finland, Germany, Lithuania, Sweden, ICMPD.</p> <p>Expected results:</p> <ul style="list-style-type: none"> - Increased networking among EU and Eastern Partnership countries' police authorities; - Increased knowledge on practical measures to combat specific forms of organised crime; - Increased knowledge of EU good practice on the management of law enforcement agencies.
	Anti-corruption	<p>Strengthening the rule of law through strengthening institutions responsible for public security issues in the area of fight against corruption.</p> <p>Project will contribute directly to the prevention and combat of corruption.</p> <p>Project is now under consideration.</p>	2014 - 2015	Amount of assistance: tbd	Implementing authority in Poland: Central Anti-Corruption Bureau in collaboration with the Ministry of Interior - tbd.
	Fight against irregular migration	Poland /Ministry of the Interior and Polish Border Guard/ is actively involved in project: Eastern Partnership cooperation in fight against irregular migration - supporting the implementation of Prague Process Action Plan (EaP-SIPPAP project). Project is led by Hungary.			

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Member State	Activity	Aim of activity	Date & place	Amount of assistance	Remarks
	Combating and preventing human trafficking	2011, 2012 and 2013 (the Ministry of the Interior in cooperation with Polish Police and Border Guard) 3 projects addressed at international cooperation in combating crime related to trafficking in human beings. Trainings and exchange of experience cooperation in the area of combating and preventing human trafficking.		Amount: about 110 000 EUR (years 2012-2013)	
	Police cooperation	MiniEuroeast Police: Improvement of the effectiveness of law enforcement agencies as a common objective of police in Poland and Eastern Partnership countries. The pilot project for Eastern Partnership Police Cooperation Programme. Preventing and combating corruption-education through exchange of experiences regarding legal and pragmatic solutions introduced so far. Streamlining of financial management of the police (Ukraine and Moldova as beneficiary countries) Safety and security at mass sport events in the preparations for Euro 2012.	2011		
		Polish Police cooperation with Ukrainian partners under Cross-border co-operation Programme CBC Poland-Ukraine-Belarus (2007-2013) /transfrontier cooperation/.			
ROMANIA	Training Programmes on Post-Conflict Reconstruction and Recovery	The programme takes place twice each year and gathers experts in peacekeeping operations from various developing countries. It is designed to create an interactive environment for participants by focusing on practical experiences and the lessons learned from previous or current peacekeeping operations and aims to encourage the participants to develop new skills, exchange experiences, widen their theoretical background, and familiarize with each other's capabilities, before actual deployment on reconstruction missions.	Bucharest	\$37,000	
	Capacity building for youth participation in youth policy and human rights education in Ukraine	The main purpose was consolidating the capacities and mechanisms of youth participation in policy-making in Ukraine, implemented as part of the CoE Action Plan for Ukraine for 2011-2014 on democracy and good governance.	Strasbourg & Kiev	€20,000	

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	Institutional capacity building of the Ukrainian police forces – implemented in partnership with the General Inspectorate of the Romanian Gendarmerie	The main objective was developing the global capacity of the Ukrainian police forces to carry out the entrusted missions and service duties successfully and with competence, according to European standards in the field. The project was implemented by the Romanian Gendarmerie on the basis of a cooperation protocol with Ukraine and as a continuation of a similar project implemented with European funds.	Romania&Ukraine (TBD), June 2014 - July 2015	\$79,000	
	Romania-Ukraine Civic Forum	The overall objective of the project is to boost bilateral relations between the two countries, expanding the basis for dialogue between Romania and Ukraine, and placing on the discussions agenda neutral, non-conflictual issues, based on trust, and projects that promote convergence, such as Ukraine's accession to the EU, the idea of good neighbours and regional cooperation.	Kiev, January 2014	€47.839,27	
SLOVAKIA	The Platform of Eastern Partnership - multilateral project	To exchange information on the individual prison systems, measures and effectiveness of fulfilling tasks;	2013 : 5 - 8 November, Bratislava	.	In the past other Slovak activities focused on SSR assistance to foreign partners used to be funded by CETIR (Centre for Transmission and Integration Expertise) which is a program established by Slovak Ministry of Foreign and European Affairs in the framework of the Slovak Official Development Aid focusing on sharing of know-how and experience from the Slovak integration process to the EU & NATO.
	Reform of the Prison System	To support harmonisation of legislation and its implementation in countries of the Eastern Partnership	2014: to be specified	TBC	The program is designed for experts from the Western Balkans, Eastern Partnership or other transition countries. Within the program, experts from partner countries visit Slovakia for consultations, as well as Slovak experts carry out consultations in partner countries. This instrument is intended to be used also in the upcoming period.
	Introductory seminar	To identify and introduce good practice in cooperation of penitentiary institutions with the third sector organisations			
SWEDEN	EU consultations	Consultations between Ukrainian and Swedish experts to discuss EU related issues	Ukraine, date tbc (2014)		
	Support to National Defence University of Ukraine Education and Research Centre for International Peacekeeping (ERCIP)	Development of course curriculums in the sphere of training in PKO and support to courses with instructors. Participation of representatives from ERCIP in courses at SWEDINT, including; – NATO/Partnership for Peace Staff Officer Courses (NATO/PfP SOC for instructors).	Ukraine, 21-22 January, 5-10 May, 27 October-7 November		
Sweden- UNSOC (UN Staff Officer Course) 5-23 May					

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Member State	Activity	Aim of activity	Date & place	Amount of assistance	Remarks
		<ul style="list-style-type: none"> - UN Staff Officer Course - Civil Military Relations course - Multinational Tactical Planning Course 	UNSOC 22 Sept-10 Oct		
			UNSOC 24 Nov-12 Dec. CMR (Civil Military Relations) 1-12 Dec		
			MTPC (Multinational Tactical Planning Course) d 27 Jan-14 Feb		
			MTPC (Multinational Tactical Planning Course) 25 Aug-12 Sept		
	Implementing common environmental program in the UA AF	Support to the implementation of a common environmental program in the UA AF	dates tbc (2014)		
Implementing Nato standardisation	Sharing of Swedish experiences from implementing NATO standardisation (education, pre-deployment, training, logistics)	dates tbc (2014)			
Surplus equipment	Sharing of Swedish experiences from selling surplus equipment and the transfer of responsibility of logistical support (logistics)	Sweden, date tbc (2014)			
Training of Ukrainian cadets	Participation of 5 Ukrainian cadets and 1 officer to SWEDINT courses	Sweden, March 2014			
UNITED KINGDOM	Anti-corruption	Advising UMOD on improving structures and processes. To date 60 defence auditors have been trained to international accredited standards and there have been some tangible successes publicised by UMOD in detecting corrupt practice. Further auditors and specialist staff are to be trained in the near future. UK Directorate of Internal Audit will be undertaking an external assessment of Ukrainian defence audit structures shortly - this will provide a framework for further assistance. SDA is also providing advice and assistance on establishing appropriate structures to reduce the risk of corruption in the defence procurement process – a key area of risk (across Government) and one that is likely to be a key mandate for the future substantive Government.			
	Advising UMOD on improving structures and processes	To date 60 defence auditors have been trained to international accredited standards and there have been some tangible successes publicised by UMOD in detecting corrupt practice. Further auditors and specialist staff are to be trained in the near future. UK Directorate of Internal Audit will be undertaking an external assessment of Ukrainian defence audit structures shortly - this will provide a framework for further assistance. SDA is also providing advice and assistance on establishing appropriate structures to reduce the risk of corruption in the			

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		defence procurement process – a key area of risk (across Government) and one that is likely to be a key mandate for the future substantive Government.			
	Building Integrity	The SDA, in partnership with UK Transparency International (UKTI) has provided advice and support to the Ukrainian National Defence University in developing and delivering courses to the Ukrainian Armed Forces and Ministry of Defence that seek to enhance awareness of the risks of corruption in the defence sector. Lecturers have been trained at the UK Defence Academy in soft skills to enhance their lecturing proficiency and through secondments at UKTI to develop course content and wider awareness of corruption. A BI plan has been developed with advice from the SDA and endorsed by UKTI that seeks to build further capacity at UNDU, with a view to delivering more courses, and developing more specialist BI course material ie on procurement, operations and HR. This plan has been submitted to the Minister of Defence for his consideration. Ukraine has invited other nations in the regions to its courses – and this has been well received.			
	Transparency and Accountability	Linked to the above, work is ongoing to develop a package of support that seeks to enhance civilian control over the military, and with this improve mechanisms of accountability and transparency. These concepts equally apply to other parts of the security sector (though it should be noted that the Ukrainian Armed Forces did not participate in suppressing Maidan – despite pressure from the Yanukovich regime to do so, while other sectors did ie police, interior troops and intelligence services). Traditional SDA support to the publication of the Defence White Book is held in abeyance given the current situation, but provides some public visibility of defence planning assumptions.			
	Defence Transformation	As a consequence of the current crisis, where the lack of credible defence capability has been highlighted, there is an appetite to reform UAFs. Early discussions with Defence Ministers suggests some institutional reforms, ie merging the Ministry of Defence and General Staffs together may occur in the short term; more radical reform will have to await resolution of the current political crisis. This is likely to involve proposals for 'root and branch reforms' and increased investment in what currently are fragile defence capabilities. Following discussions with the National Defence and Security Council leadership, this work may be led by a multi-national (US, UK, Pol) team of advisors working with Ukrainian officials.			